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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

RSA No. 2933 of 2019 (O&M)  
Date of Decision: 23.09.2019

Gian Singh

-Appellant

Vs

The Registrar, Co-operative Societies and others

-Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Munish Gupta, Advocate,  
for the appellant.

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**RAJ MOHAN SINGH, J. (ORAL)**

Suit for declaration filed by the plaintiff-appellant has been dismissed by both the Courts below concurrently. Plaintiff was working as Secretary in Alampur Khas, Co-operative Agriculture Service Society.

An allegation of embezzlement was made against the plaintiff and he was discharged from the service.

An arbitrator was appointed in respect of the amount allegedly embezzled by the plaintiff.

An award was passed by the Arbitrator. The said award was challenged by the plaintiff before the Assistant Registrar, Co-operative Societies but the case was dismissed.

The said order has already attained finality as the plaintiff did not assail the same in any forum. An audit was also

done in the Society. At the instance of the defendants, re-audit was also conducted by the Co-operative Societies. Even in the re-audit, plaintiff was found to have embezzled the amount of Co-operative Societies.

The property of the plaintiff was attached and was auctioned after following proper procedure. The property was purchased by Gurdial Singh-defendant No.5 being the highest bidder in an open auction.

Proper inquiry was conducted by the Society against the plaintiff. As per affidavit of the plaintiff produced by the defendants as Ex.PD, plaintiff has specifically admitted that his land was sold by the Society and he gave no objection for installation of connection of electric motor in the name of defendant No.5.

Plaintiff himself admitted possession of Gurdial Singh and genuineness of the sale certificate issued by the Co-operative Society.

Sale deed dated 09.04.2005 and sale certificate dated 10.01.2007 were never in dispute. Plaintiff has miserably failed to assail the sale deed dated 09.04.2005 and sale certificate dated 10.01.2007 by leading any cogent evidence.

Both the Courts below have concurrently recorded findings of fact against the plaintiff.

Plaintiff could not refute the evidence against him by way of leading any evidence much less reliable evidence.

No question of law worth consideration is involved in the present appeal.

The findings recorded by both the Courts below are not found to be result of mis-reading of evidence or having suffered with any perversity.

This appeal is found to be totally devoid of merits and the same is accordingly, dismissed in limine.

23.09.2019

*Jyoti Yadav*

**(RAJ MOHAN SINGH)**  
**JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No